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IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 809/2004
HARPAL & ORS. Vs. STATE OF RAJASTHAN

DATE: 18.05.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Rajkamal Gaur for the accused-petitioners.
Mr. B.K. Sharma, Public Prosecutor for the State.

The present criminal revision petition under Section 397 r/w Section 401 Cr.P.C. is preferred by the accused-petitioners against the order dated 14.07.2004 passed by the Additional Sessions Judge No.2, Kishangarh-Bas, District Alwar in Case No. 11/2004, whereby charges for the offences under Sections 147, 447, 307 or 307/149, 323, 325 or 323, 325/149 IPC have been framed against the accused-petitioners.

I have heard learned counsel for the accused-petitioners, learned Public Prosecutor for the State and have also gone through the impugned order dated 14.07.2004 passed by the Additional Sessions Judge No.2, Kishangarh-Bas, District Alwar.

The Court below on being satisfied that the prima-facie case is made out against the accused-petitioners, framed charges against the accused-petitioners for the aforesaid offences.

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As per the settled proposition of law at the time of framing charge the Court below is only required to satisfy whether prima-facie case is made out against the accused or not, and as in the instant case two persons received injury on head which are grievous in nature, therefore, charge for the offence under Section 307 in the alternative 307/149 IPC has been framed against the accused-petitioners as also for the offence under Sections 147, 447, 323, 325 or 323, 325/149 IPC.

Thus, I find no illegality or error apparent on the face of the record and the impugned order dated 14.07.2004 passed by the Additional Sessions Judge No.2, Kishangarh-Bas, District Alwar requires no interference whatsoever by this Court.

Consequently, the revision petition fails and the same is hereby dismissed.

(K.S. RATHORE), J.

/KKC/